



OFFICE OF PUBLIC INSTRUCTION

PO BOX 202501
HELENA MT 59620-2501
www.opi.state.mt.us
(406) 444-3095
888-231-9393
(406) 444-0169 (TTY)

Linda McCulloch
Superintendent

October 15, 2002

TO: Child and Family Services Division (CFSD) Social Workers and Supervisors
Directors of State Licensed Group Homes, Shelter Care Facilities and Child Placing Agencies
County Superintendents

FROM: Joan Anderson, Administrator, School Finance Division

RE: **State Agency Placements of Students in Out-of-District Public Schools – Attendance Agreements**

I am writing this letter to ask for your cooperation in implementing a process that will ensure proper state tuition payments for students who attend public schools after having been placed in state-licensed group homes, shelter care facilities, and foster care programs by parents or CFSD.

BACKGROUND

In 2001, the Legislature passed SB65 regarding tuition for Montana public school districts. Under SB65, the state pays tuition, via the county superintendent's office, for students placed outside their district of residence for school purposes when:

- "(d) the child is under the protective care of a state agency or has been adjudicated to be a youth in need of intervention or a delinquent youth, as defined in 41-5-103; or
- (e) the child is required to attend school outside of the district of residence as the result of a placement in foster care or a group home licensed by the state." (MCA 20-5-321 and 20-5-324(6))

OPI reviews the counties' payments of state tuition. We inspect the FP-14 Student Attendance Agreement form to see if the person signing the form is acting on behalf of the DPHHS or court, or if the parent has placed the student into a state-licensed group home or foster care. In those situations, together with court placements, tuition can be paid by the state to public schools.

OUR REQUEST

Please help us ensure the appropriate expenditure of state money by following these guidelines whenever placing children in group homes or foster care where they will attend a public school located outside their school district of residence*: (See example of form FP-14 attached.)

1. DPHHS, a Court Representative, or Parent Should Sign the Attendance Agreement.

- When DPHHS places a student, a CFSD Social Worker or Supervisor should sign a copy of the FP-14 Student Attendance Agreement. Please be sure to print your name and phone number legibly.
- When a parent places a student in foster care or a group home, the home should ask the parent to sign the form and check the box indicating the group home/foster care placement.
- *A parent or employee of CFSD must sign the form in order to provide appropriate state tuition for the local public school district where the student attends.*

[OVER]

"It is our mission to advocate, communicate, educate and be accountable to those we serve."

10/15/2002

State Agency Placements of Students in Out-of-District Public Schools – Attendance Agreements

2. Annual Approval is Required.

The forms are due annually for each student for each year of attendance. Please submit the form to the clerk of the district where the student will attend. Districts will send the approved forms to their county superintendent of schools for further approval and payment.

3. Group Homes or Foster Care Providers Should Not Sign the Attendance Agreement.

The form is used to determine the condition of the student's admission to the nonresident school and the tuition responsibilities under law. DPHHS, the court, or a parent must sign as the placing official.
-- Do not sign the form if you are an employee of a group home, foster care facility, or nonpublic school.

4. FP-14 is Necessary Only for Public School Attendance.

If the student will not attend public school, an FP-14 Student Attendance agreement is not required. Private educational programs are not authorized by law to receive tuition payments. Private educational programs may contract with local public school districts to provide contracted services.

5. County Superintendents—Please review the FP-14's for FY 2002-03.

Make sure the forms are signed and that they clearly indicate DPHHS placement, court placement, or parental placement in a state-licensed group home or foster care. Attendance agreements for other situations are not paid using the state tuition money. (Also remember that state tuition payments for students without disabilities are limited to \$2500 per year.)

If you have any questions, please feel free to contact me at (406) 444-1960 or email janderson@state.mt.us. Thanks for your cooperation in this effort!

* Student's district of residence is normally the residence of the parent, with the following exceptions: 1) If the court takes legal custody of a student with disabilities, the school district where the court took custody is the "resident district"; 2) For a student with disabilities whose parents have left the state, the last known in-state residence of the parent is the district of residence for school purposes; 3) A student who is 18 years old is no longer a minor, and his personal living place is his district of residence for school purposes.

Cc: Betsy Stimatz, CFSD
John Clymer, CFSD
Clerks of Montana School Districts
Bob Runkel, OPI
Jeff Weldon, OPI
Tim Harris, OPI



Office of Public Instruction
Linda McCulloch, Superintendent
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STUDENT ATTENDANCE AGREEMENT

School Year 20____ - 20____
(Elementary and High School)

Instructions: (use separate form for each student)

Parent/Guardian or Official of Placing State Agency/Court or District: Complete Part I and submit to clerk of District of Choice. Use one form for each student. You should receive a copy of the form back, indicating approval or denial.

District of Choice: Trustees may act on this application when submitted by a parent/guardian or placing state agency or court official. District may admit the student without approval of this application if tuition and transportation charges are both waived. However, the district may not count the student as an "eligible transportee" for state and county transportation reimbursement without the signature of the resident district on this application. **If approved:** send copies of the approved form to: 1) parent/guardian or official of the state agency/court, and 2) clerk of the District of Residence. **If not approved:** send copies to parent/guardian or official of placing state agency/court.

District of Residence: (Approval in Section IV is necessary to allow District of Choice to transport the non-resident student as an "eligible transportee" for purposes of state/county transportation reimbursement OR if District of Residence is responsible for paying tuition.) **If approved,** send copies to: 1) parent/guardian or official of placing agency/court; 2) clerk of District of Choice; and 3) county superintendents of each county. **If not approved,** notify parent/guardian and District of Choice.

County Superintendent of District of Choice: (For placements only) Signature is required if the county will pay tuition or transportation. Send copies to: 1) Clerk of District of Choice, and 2) County Superintendent of District of Residence

SECTION I: TO BE COMPLETED BY PARENT/GUARDIAN OR OFFICIAL OF STATE AGENCY/COURT

I request that the following student be allowed to attend in a school district outside student's district of residence.

Student Name (Last, First, M.I.)	Birthdate Mo ____ Day ____ Year ____	Grade (for year of attendance)
Parent/Guardian's Address		City/State/Zip Code
Student Address (if different from parent's address)		City/State/Zip Code
District of Residence	District Currently Attending	
District of Choice	Date Attendance will Begin:	
Reason for Request: (check one) <input type="checkbox"/> Parent/Guardian Request <input checked="" type="checkbox"/> State Agency Placement <input type="checkbox"/> Court Placement <input type="checkbox"/> District-to-District Placement <input type="checkbox"/> For Foster/Group Home Placement		
Name of Parent/Guardian or Official of State Agency/Court: (print) Joe Brown		Telephone Number Home: (____) ____-____ Work: (406) 555- 8999
Representing (Name and Address of State Agency/Court) DPHHS-Bozeman Office		Title of Placing Official Social Worker
This agreement will be returned to the parent/guardian after approval/disapproval and will specify the costs, if any, which will be charged to the parent/guardian for attendance. If the student attends under this agreement, the parent/guardian agrees to pay the costs, if any, charged to him or her under the terms of this agreement.		
Signature of Requestor: <u>Joe Brown</u>		Date: <u>01/02/02</u>

SECTION II: TRANSPORTATION – TO BE COMPLETED BY DISTRICTS OF CHOICE AND RESIDENCE

Parties must specify here the responsibilities and costs for transportation. Districts can charge for transporting nonresident students if costs exceed the amount reimbursed to the district by the state and county (i.e., may charge "over-schedule" costs). For parent requests, mileage reimbursements can be provided only for the distance from the home to the closest school or bus stop, less 3 miles each direction, regardless of which school district the student attends.

☐ **NO TRANSPORTATION** will be provided. Parent/guardian will transport at their own expense. (GO TO SECTION III.)

Check all that apply	District of Choice will provide transportation: In order to claim a non-resident student as an "eligible transportee" for purposes of state and county reimbursement, the approval of the District of Residence is required in Section IV. Without approval, the District of Choice may not transport the student at state/county expense.
	<input type="checkbox"/> Bus service, at NO COST <input type="checkbox"/> Bus service, charging parents \$_____ per _____ (attach payment schedule) <input type="checkbox"/> Bus service, charging District of Residence \$_____ per _____ (attach payment schedule) <input type="checkbox"/> Bus service, charging County of Attendance \$_____ per year <input type="checkbox"/> Mileage reimbursement to the parent/guardian under a TR-4 Individual Transportation Contract (over 3 miles from school or bus stop)
	District of Residence will provide transportation:
	<input type="checkbox"/> Bus service, at NO COST <input type="checkbox"/> Bus service, charging parent \$_____ per _____ (attach payment schedule) <input type="checkbox"/> Mileage reimbursement to the parent/guardian under a TR-4 Individual Transportation Contract (over 3 miles from school or bus stop)

Using the Attendance Agreement for State Agency Placements

Check here to indicate a state placement (or parental placement) into a state-licensed foster care or group home.

A CFSD social worker or supervisor should print name, telephone number, location of DPHHS section, title, and signature.

Exception:
If the parent has placed the student in a state-licensed foster care or group home, the parent should sign this section.